

**UNIFORM COMMERCIAL CODE (EXCERPT)**  
**Act 174 of 1962**

**440.4104 Definitions used in article.**

Sec. 4104. (1) As used in this article unless the context otherwise requires:

(a) "Account" means any depositor credit account with a bank, including a demand, time, savings, passbook, share draft, or like account, other than an account evidenced by a certificate of deposit.

(b) "Afternoon" means the period of a day between noon and midnight.

(c) "Banking day" means the part of a day on which a bank is open to the public for carrying on substantially all of its banking functions.

(d) "Clearing-house" means an association of banks or other payors regularly clearing items.

(e) "Customer" means any person having an account with a bank or for whom a bank has agreed to collect items, including a bank that maintains an account at another bank.

(f) "Documentary draft" means a draft to be presented for acceptance or payment if specified documents, certificated securities, (section 8102) or instructions for uncertificated securities (section 8102), or other certificates, statements, or the like are to be received by the drawee or other payor before acceptance or payment of the draft.

(g) "Draft" means a draft as defined in section 3104 or an item, other than an instrument, that is an order.

(h) "Drawee" means a person ordered in a draft to make payment.

(i) "Item" means an instrument or a promise or order to pay money handled by a bank for collection or pay. The term does not include a payment order governed by article 2a or a credit or debit card slip.

(j) "Midnight deadline" with respect to a bank is midnight on its next banking day following the banking day on which it receives the relevant item or notice or from which the time for taking action commences to run, whichever is later.

(k) "Settle" means to pay in cash, by clearing-house settlement, in a charge or credit or by remittance, or otherwise as agreed. A settlement may be either provisional or final.

(l) "Suspends payments" with respect to a bank means that it has been closed by order of the supervisory authorities, that a public officer has been appointed to take it over or that it ceases or refuses to make payments in the ordinary course of business.

(2) Other definitions applying to this article and the sections in which they appear are:

"Agreement for electronic presentment".	Section 4110.
"Bank".	Section 4105.
"Collecting bank".	Section 4105.
"Depository bank".	Section 4105.
"Intermediary bank".	Section 4105.
"Payor bank".	Section 4105.
"Presenting bank".	Section 4105.
"Presentment notice".	Section 4110.

(3) The following definitions in other articles apply to this article:

"Acceptance".	Section 3409.
"Alteration".	Section 3409.
"Certificate of deposit".	Section 3104.
"Cashier's check".	Section 3104.
"Certified check".	Section 3409.
"Check".	Section 3104.
"Draft".	Section 3104.
"Good faith".	Section 3103.
"Holder in due course".	Section 3302.
"Instrument".	Section 3104.
"Notice of dishonor".	Section 3503.
"Order".	Section 3103.
"Ordinary care".	Section 3103.
"Person entitled to enforce".	Section 3301.
"Presentment".	Section 3501.
"Promise".	Section 3103.
"Prove".	Section 3103.
"Teller's check".	Section 3104.
"Unauthorized signature".	Section 3403.

(4) In addition article 1 contains general definitions and principles of construction and interpretation

applicable throughout this article.

**History:** 1962, Act 174, Eff. Jan. 1, 1964;—Am. 1993, Act 130, Eff. Sept. 30, 1993;—Am. 1998, Act 278, Imd. Eff. July 27, 1998.